

EXHIBIT 1



Entered on Docket
June 12, 2008

Ri-ji

**Hon. Linda B. Riegle
United States Bankruptcy Judge**

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA Commercial Mortgage Company,
USA Capital Realty Advisors, LLC,
USA Capital Diversified Trust Deed Fund, LLC,
USA Capital First Trust Deed Fund, LLC,¹
USA Securities, LLC,² Debtors

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR¹
Case No. BK-S-06-10729-LBR²

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING SEVENTH
OMNIBUS OBJECTION OF USACM
TRUST TO PROOFS OF CLAIM
BASED, IN WHOLE OR IN PART,
UPON INVESTMENT IN THE PALM
SPRINGS MARQUIS HOTEL LOAN**

Hearing Date: June 9, 2008
Hearing Time: 9:30 a.m.

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

¹ This bankruptcy case was closed on October 12, 2007.

² This bankruptcy case was closed on December 26, 2007.

1 Pending before the Court is the USACM Liquidating Trust's Seventh Omnibus
2 Objection of USACM Trust to Proofs of Claim Based, in Whole or in Part, Upon
3 Investment in the Palm Springs Marquis Hotel Loan (the "Objection") [DE 6297].
4 Adequate notice of the Objection was given. The Court heard the Objection on June 9,
5 2008. No responses were filed to the Objection and no opposition was raised at the
6 hearing. Good cause appearing,

7 IT IS ORDERED:

8

- 9 • Sustaining the Objection;
- 10 • Disallowing the Proofs of Claim listed on Exhibit A attached to the extent they
11 are based upon an investment in the Palm Springs Marquis Hotel Loan. The
12 Proofs of Claim listed in Exhibit A are not affected by this order to the extent
13 they are based upon an investment in a loan(s) other than the Palm Springs
14 Marquis Hotel Loan; and
- 15 • Reserving the right of any party in interest, including the USACM Trust, to
16 further object to the Proofs of Claim listed on Exhibit A attached.

17 16 #####

18 PREPARED AND SUBMITTED:

19 **LEWIS AND ROCA LLP**

20 By: /s/ RC (#0006593)
21 Susan M. Freeman
22 Rob Charles
23 John Hinderaker
24 *Attorneys for USACM Liquidating Trust*

1 CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

2 In accordance with Local Rule 9021, the undersigned certifies:

3 The Court waived the requirements of approval under LR 9021.

4 No parties appeared or filed written objections, and there is no trustee appointed
5 in the case.

6 No opposition was filed to the motion and no other party or counsel appeared at
7 the hearing.

8 I have delivered a copy of this proposed order to all attorneys and unrepresented
9 parties who have appeared at the hearing, and any trustee appointed in the case,
10 and each has approved or disapproved the order, or failed to respond, as
11 indicated below:

12 **LEWIS AND ROCA LLP**

13 By: /s/ RC (#0006593)
14 Susan M. Freeman
15 Rob Charles
16 John Hinderaker
17 *Attorneys for USACM Liquidating Trust*

MARQUIS HOTEL LOAN
SEVENTH OMNIBUS OBJECTION

EXHIBIT A
Multiple Loan Claims

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Marquis Hotel Loan
10725-01208	Pete Monighetti	6515 Frankie Lane Prunedale, CA 93907	\$1,509,963.55	\$50,000.00
10725-02353	Musso Living Trust Dtd 11/30/92	Walter and Barbara Musso Trustees P.O. Box 2566 Avila Beach, CA 93424	\$623,004.79	\$65,000.00
10725-01721	Peele Spousal Trust Dated 2/10/87	c/o Jennefer C. Peele Trustee 2581 Rampart Terrace Reno, NV 89519-8362	\$12,959.78	\$8,756.95
10725-02254	Peele Spousal Trust Dated 2/10/87	Jennefer C. Peele Trustee 2581 Rampart Terrace Reno, NV 89519	\$253,712.01	\$50,000.00
10725-00245	Robert H. and Lynn R. Perlman Trust Dated 9/17/92	c/o Robert H. and Lynn R. Perlman Trustees 2877 Paradise Road, Unit 3501 Las Vegas, NV 89109-5278	\$1,187,000.00	\$50,000.00
10725-00863	Rocklin/Redding LLC	Stephen R. Harris, Esq. Belding Harris & Petroni Ltd. 417 West Plumb Lane Reno, NV 89509	\$2,000,000.00	Unclear
10725-02071	Robert R. Rodriguez	5748 Newberry Point Drive Flowery Branch, GA 30542	\$329,977.39	\$50,000.00
10725-02326	L. Earle Romak IRA	First Savings Bank Custodian L. Earle Romak IRA P.O. Box 6185 Incline Village, NV 89450	\$1,000,000.00	\$350,000.00
10725-00274	Daniel and Virginia Salerno Family Trust Dated 8/9/89	Daniel N. and Virginia P. Salerno Trustees P.O. Box 7869 Incline Village, NV 89452-7869	\$212,026.22	\$57,272.44

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Marquis Hotel Loan
10725-00981	Sterling Tom	213 Royal Aberdeen Way Las Vegas, NV 89134	\$150,000.00	\$50,000.00